

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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MICHAEL BOZZELLI,  
Petitioner,

v.

EDWARD KLEM, et al.,  
Respondents.

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CIVIL ACTION

NO. 07-3530

ORDER

AND NOW, this 28<sup>th</sup> day of February, 2008, upon careful and independent consideration of the Petition for Writ of Habeas Corpus, the Response thereto, and after review of the Report and Recommendation ("R&R") of United States Magistrate Judge Henry S. Perkin dated January 25, 2008, IT IS HEREBY ORDERED that:

1. the R&R is APPROVED and ADOPTED;
2. objections are overruled;
3. the Petition for Writ of Habeas Corpus is DENIED with prejudice and DISMISSED without an evidentiary hearing; and
4. there is no probable cause to issue a certificate of appealability.

BY THE COURT:

/s/ Edmund V. Ludwig  
EDMUND V. LUDWIG, J.